

CALIFORNIA STATE ATHLETIC COMMISSION

Specific Language

1. Adopt Rule 227 in Article 3 of Chapter 1 of Division 2 of Title 4 of the California Code Regulations, to read as follows:

227. Arbitration Procedures.

(a) A person who seeks arbitration of a contract dispute pursuant to Rule 221 shall send a written request for arbitration to the commission's headquarters and to the Office of the Attorney General at the address designated on the form. The request shall be on a form prescribed by the commission and shall contain all of the following information:

- (1) The person's name, address, telephone number, e-mail address if available.
- (2) The date of the request.
- (3) Type of license held and license number.
- (4) A detailed statement showing the ground for the request.
- (5) A copy of each contract over which arbitration is sought.
- (6) Whether the services of an interpreter are required and if so, for which language.
- (7) Three dates of availability for arbitration within the next 90 days after the date of the request.
- (8) Which of the following geographic locations is preferred: Sacramento, Los Angeles, San Francisco or San Diego.
- (9) The requester's signature.

The commission shall return to the requester without action any request that is incomplete because it lacks one or more of the items described above.

(b) Within five (5) working days after receipt of a complete request for arbitration, the commission shall serve the request and any accompanying documents on the other party to the contract and provide that party with an opportunity to respond. If the commission does not receive a response from the other party not later than twenty (20) calendar days from the date of service of the request, the matter shall proceed by default.

(c) The arbitrator shall be the executive officer of the commission or that person's designee.

(d) Not less than ten (10) days prior to the hearing, the parties shall exchange and also serve on the commission's designated representative a detailed list of the evidence expected to be presented during the hearing, which shall include a list of the names of witnesses and a copy of every document that the party intends to present.

(e) An arbitration proceeding shall not exceed four (4) hours unless the arbitrator determines that additional time is needed, based on the detailed statement required in subsection (a)(4), in which case the arbitrator may permit the hearing to proceed a maximum of six (6) hours total. The time shall be divided evenly among the parties. Each party is expected to make an oral or written statement of the case. The party requesting arbitration shall proceed first. Every person who will be testifying shall be sworn in.

(f) The party requesting arbitration bears the burden of proving his or her case by a preponderance of the evidence.

(g) The arbitrator shall serve the written decision on the parties not later than forty-five (45) calendar days after the matter has been submitted.

(h) Unless good cause is shown, a request for arbitration shall be deemed abandoned and the request dismissed if the party who requests arbitration fails to appear at a duly noticed hearing two times.

NOTE: Authority cited: Section 18611, Business and Professions Code. Reference: Section 18640, Business and Professions Code.

2. Amend Rule 281 in Article 6 of Chapter 1 of Division 2 of Title 4 of the California Code of Regulations, to read as follows:

281. Physical Condition of Boxer.

(a) With respect to Section 18642.5 of the code, the commission shall evaluate an applicant's or licensee's fitness for licensure as a boxer based on the totality of the person's physical condition, taking into account the following indicators:

(1) Under the age of 18

(2) Actual age

(3) Number of bouts

(4) Number of rounds fought

(5) Number of hard fights

(6) Number of identified injuries

(7) Number of knockouts suffered within the last 12 months, including particularly those where the contestant lost consciousness

(8) Periods of inactivity in excess of 12 calendar months

(9) Ring record for the past twenty-four months

(10) Weight, including fluctuations in weight

(11) Whether the person is missing all or part of a limb.

~~(a)~~ (b) No license shall be issued to any applicant for a boxer's license who does not meet the vision requirements of Rule 282.

~~(b)~~ (c) No license shall be issued to any boxer who has suffered cerebral hemorrhage or any other serious head injury.

Note: Authority cited: Section 18611, Business and Professions Code. Reference: Sections 18640, 18642 and 18710, Business and Professions Code.

3. Amend Rule 303 in Article 6 of Chapter 1 of Division 2 of Title 4 of the California Code of Regulations, to read as follows:

303. Administration or Use of Drugs.

(a) The administration or use of any drugs, alcohol or stimulants, or injections in any part of the body, either before or during a match, to or by any boxer is prohibited.

(b) A person who applies for or holds a license as a professional boxer shall be required as a condition of licensure or renewal to provide a urine specimen. In addition, a licensed boxer shall provide a urine specimen for drug testing either before or after the bout, as directed by the commission representative.

(c) A confirmed positive test for any of the following substances shall be conclusive evidence of a violation of subsection (a):

(1) Stimulants

(2) Narcotics

(3) Cannabinoids (marijuana)

(4) Anabolic agents (exogenous and endogenous)

(5) Peptide hormones

- (6) Masking agents
- (7) Diuretics
- (8) Glucocorticosteroids
- (9) Beta-2 agonists (asthma medications)
- (10) Anti-estrogenic agents
- (11) Alcohol

Note: Authority cited: Section 18611, Business and Professions Code. Reference: Sections 18640, Business and Professions Code.

4. Adopt Rule 314 in Article 7 of Chapter 1 of Division 2 of Title 4 of the California Code of Regulations, to read as follows:

314. Alternate Ring Specifications.

Notwithstanding Rules 310 through 312, the commission may, after inspecting a ring, permit a club to hold professional boxing matches in a ring that it determines meets the specifications prescribed in Rule 523, except that subsection (d)(1) permitting a contest to be held in a ring enclosed by a fence shall not apply to boxing contests and the commission shall not permit a boxing contest to be held in a ring enclosed by a fence. A club shall not hold any professional boxing match in a ring described in Rule 523 until it has received written approval by the commission indicating that the ring has been inspected and meets the criteria set forth in that rule.

NOTE: Authority cited: Section 18611, Business and Professions Code. Reference: Sections 18724 and 18725, Business and Professions Code.

5. Amend Rule 323 in Article 7 of Chapter 1 of Division 2 of Title 4 of the California Code of Regulations, to read as follows:

323. Bandages.

Bandages shall not exceed the following restrictions:

One winding of surgeon's adhesive tape, not over one and one-half inches wide, placed directly on the hand to protect that part of the hand near the wrist. Said tape may cross the back of the hand twice but shall not extend within one inch of the knuckles when hand is clenched to make a fist.

Contestants shall use soft surgical bandage not over two inches wide, held in place by not more than ~~two yards~~ eight feet of surgeon's adhesive tape for each hand. ~~One 10 yard roll of bandage shall~~ Not more than twenty yards of bandage may be used to complete the wrappings for each hand. Strips of tape may be used between the fingers to hold down the bandages.

Bandages shall be ~~adjusted~~ applied in the dressing room in the presence of a commission representative and both contestants. Either contestant may waive his privilege of witnessing the bandaging of his opponent's hands.

Note: Authority cited: Section 18611, Business and Professions Code. Reference: Sections 18640 and 18714, Business and Professions Code.

6. Amend Rule 368 in Article 8 of Chapter 1 of Division 2 of Title 4 of the California Code of Regulations, to read as follows:

368. Change of Decision.

(a) A decision rendered at the termination of any boxing contest is final and shall not be changed unless following the rendition of a decision the commission determines that any one of the following occurred:

~~(a)~~ (1) There was collusion affecting the result of any contest;

~~(b)~~ (2) The compilation of the scorecard of the judges, and the referee when used as a judge, shows an error which would mean that the decision was given to the wrong boxer;

~~(e)~~ (3) There was a violation of the laws or rules and regulations governing boxing which affected the result of any contest.

(4) The winner of a bout tested positive immediately after the bout for a banned substance.

~~(d)~~ (b) A petition to change a decision shall be in writing and filed by a boxer or the boxer's manager within five (5) calendar days from the date the decision was rendered.

~~(e)~~ (c) If a petition to change a decision is not filed in writing within five (5) days of the decision, the commission may, upon the vote of at least a majority of the commissioners present, hold a hearing to change the decision at any time.

(d) If the commission determines that any of the above occurred with regards to any contest then the decision rendered shall be changed, except that any change of decision pursuant to subsection (d) shall be a change to "no decision."

NOTE: Authority cited: Section 18611, Business and Professions Code. Reference: Section 18640, Business and Professions Code.

7. Adopt Rule 389 in Article 11 of Chapter 1 of Division 2 of Title 4 of the California Code of Regulations, to read as follows:

389. Appeal Procedures.

(a) A person who wishes to appeal either a fine issued pursuant to Section 18843 of the code or a temporary suspension issued pursuant to Section 18842 of the code, shall send a written request for a hearing on a form prescribed by the commission. The request

shall be sent to the commission's headquarters and to the Office of the Attorney General at the address designated on the form. The form shall contain all of the following information:

- (1) The person's name, address, telephone number, e-mail address if available.
- (2) The date of the request.
- (3) Type of license held and license number.
- (4) A detailed statement showing grounds for reduction or dismissal of the fine or suspension, as applicable.
- (5) A statement whether the requester is represented by an attorney. If the requester is represented by an attorney, the name, address, telephone number and e-mail address of the attorney.
- (6) Whether the services of an interpreter are required and if so, for which language.
- (7) The requester's signature.

The commission shall return to the requester without action any request that is incomplete because it lacks one or more of the items described above.

(b) Within 30 days after receipt of a complete request, the commission shall set the matter for hearing.

(c) A hearing shall not exceed one (1) hour. The time shall be divided evenly between the requester and the commission representative ("the parties"). Each party is expected to make an oral or written statement of the case. The commission representative shall proceed first. If the requester elects to address the commission, the requester shall

be placed under oath. The sequence of, and time limitations on, argument before the commission are as follows:

(1) First—the staff representative and/or deputy attorney general , who shall be limited to twenty minutes.

(2) Second—the requester and/or his or her legal counsel, who shall be limited to twenty minutes.

(3) Third—the rebuttal of the staff representative and/or deputy attorney general, which shall be limited to ten minutes.

(4) Fourth—the rebuttal of the requester and/or his or her legal counsel, which shall be limited to ten minutes.

(d) The commission staff bears the burden of proving his or her case by a preponderance of the evidence.

(e) The commission shall serve the written decision on the parties not later than forty-five (45) calendar days after the matter has been submitted. The decision shall contain factual findings, legal conclusions, and an order describing the action taken by the commission at a duly noticed meeting.

(f) Unless good cause is shown, a request for hearing shall be deemed abandoned and the request dismissed if the party who appealed and requested a hearing fails to appear at a duly noticed meeting, unless the party demonstrates good cause for that failure to appear.

NOTE: Authority cited: Section 18611 , Business and Professions Code. Reference: Sections 18842 and 18843 , Business and Professions Code.

8. Amend subsection (a) of Rule 523 in Article 3 of Chapter 2 of Division 2 of Title 4 of the California Code of Regulations, to read as follows:

523. Ring.

(a) For kickboxing contests, the ring or fighting area shall either meet the requirements of Rules 310 through 312, inclusive, or shall meet the requirements of this section; except that subsection (d)(1) permitting a contest to be held in a ring enclosed by a fence shall not apply to kickboxing contests and the commission shall not permit a kickboxing contest to be held in a ring enclosed by a fence. For all other types of martial arts bouts, the ring or fighting area shall either meet the requirements set forth below in this section or shall be held in a ring that meets the requirements set forth in Rules 310 through 312, inclusive.

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NOTE: Authority cited: Section 18611 and 18763, Business and Professions Code.
Reference: Section 18765, Business and Professions Code.